

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FALCO ERMERT,

Plaintiff,

v.

MODERNLY INC., et al.,

Defendants.

Case No. 1:23-cv-01037-JLT-SAB

ORDER RE STIPULATION TO CONTINUE
MANDATORY SCHEDULING
CONFERENCE

(ECF No. 6)

On July 12, 2023, Plaintiff initiated this copyright infringement action against Defendants Modernly Inc., Jose Antonio Chavez, and Margarita Arambula Cano. (ECF No. 1.) On September 21, 2023, Defendant Modernly, Inc. executed a waiver of service making its deadline to file a responsive pleading to the complaint November 19, 2023. (ECF No. 5.) On October 5, 2023, Plaintiff filed a notice of dismissal without prejudice against defendants Jose Antonio Chavez and Margarita Arambula Cano. (ECF No. 4.) An initial scheduling conference is currently set for October 31, 2023. (ECF No. 38.)

On October 5, 2023, the parties filed a stipulated request to continue the scheduling conference to December 5, 2023, to allow the Defendants time to file a responsive pleading to the complaint. (ECF No. 6.) The parties explain they believe such a pleading is necessary prior to engaging in the case management conference and discovery. (Id.) The Court finds good cause to grant the extension and shall continue the scheduling conference.

Accordingly, IT IS HEREBY ORDERED that:

1. The Scheduling Conference set for October 31, 2023, is continued to December 11, 2023, at 1:30 p.m.; and
2. The parties shall file a joint scheduling report seven (7) days prior to the scheduling conference.

IT IS SO ORDERED.

Dated: October 6, 2023


UNITED STATES MAGISTRATE JUDGE